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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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04/13/2004

George A. Georgiou

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EXAMINER

HALIYUR, VENKATESH N

ART UNIT

PAPER NUMBER

2619

NOTIFICATION DATE

DELIVERY MODE

07/09/2008

ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

<b>Office Action Summary</b>	<b>Application No.</b> 10/822,970	<b>Applicant(s)</b> GEORGIU, GEORGE A.	
	<b>Examiner</b> VENKATESH HALIYUR	<b>Art Unit</b> 2619	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 28 March 2008.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                     | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## DETAILED ACTION

### *Response to Amendment*

1. The amendment filed on 03/28/2008 has been considered but is ineffective to overcome Pelaez et al and Bondy et al references. Rejection follows.
2. Claims 1-21 is pending in the application.

### *Claim Rejections - 35 USC § 103*

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pelaez et al [US Pat: 7,003,280] in view of Bondy et al. [US Pat: 7,006,508].

Regarding claims 1-2,8-9, Pelaez et al in the invention of "Method and System for Processing Adjustments to the Type and Quality of Multimedia Communication Sessions" disclosed a comprehensive signaling node (**IMS 20, Fig 1**), comprising: a signaling interface adapted for transmitting and receiving signaling communications (**col 4, lines 6-12**); a storage system (**HSS, item 34 of**

**Fig 1)** configured to store a Media Gateway Controller routine (**MGCF, item 26 of Fig 1**), to store a Session Initiation Protocol routine (**SIP**), to store a H.323 routine (**col 4, lines 65-67**), to store a Session Border Controller (**BGCF, item 28 of Fig 1**) routine, to store Push-to-talk routine (**col 3, lines 15-65**) and to store a Wide Area Network (**wire line network, item 52 of Fig 1, col 4, lines 22-49**) compression routine (**col 5, lines 44-48**) and a processing system (**MRFP/CSCF/MRFC, items 30/22/32 of Fig 1**) in communication with the signaling interface and the storage system (**col 4, lines 1-21**), with the processing system being configured to receive a signaling communication through the signaling interface, process the signaling communication with the MGC routine if appropriate, process the signaling communication with the SIP routine if appropriate (**col 5, lines 7-17**), process the signaling communication with the SBC routine if appropriate, process the signaling communication with the PTT routine if appropriate, process the signaling communication with the WAN compression routine if appropriate (**col 5, lines 44-67, col 7, lines 13-60**) and but fails to disclose performing the configuration operation of the configuration command, wherein the configuration operation enables or disables the one or more specified signaling routines, processing the signaling communication with the H.323 routine if appropriate and to store a Communication Assistance for Law Enforcement routine (**CALEA**) and process the signaling communication with the CALE routine if appropriate. However, Bondy et al in the invention of “Communication Network with a Collection Gateway and Method for Providing

Surveillance Services” disclosed the limitations of performing the configuration operation of the configuration command, wherein the configuration operation enables or disables the one or more specified signaling routines **(activation/deactivation of data streams)**, processing the signaling communication with the H.323 routine if appropriate and further disclosed CALEA feature server **(items 26 of Fig 1)** that stores the program (routines) and process CALEA communication functions pertaining to a multimedia client or a subscriber over signaling interfaces( **col 3, lines 55-67, col 4, lines 1-67, Fig 4**). Therefore it would have been obvious for one of ordinary skill in the art at the time the invention was made to include CALEA routines and process CALEA routines as taught by Bondy et al. in the signaling node of Pelaez et al to store a Communication Assistance for Law Enforcement routine **(CALE)** and process the signaling communication with the CALE routine if appropriate. One is motivated as such in order to use Communication Assistance for Law Enforcement routine **(CALE)** functionality in the signaling node interface to provide enhanced security and surveillance capability for communication over packet based and non-packet based networks.

Regarding claims 3-4,10-11, Pelaez et al disclosed that the comprehensive signaling node further comprising an operator interface in communication with the processing system, and wherein the processing system is configured to receive the configuration command **(activation, col 8, lines 14-39)** through the operator interface and with the storage system being further

configured to store operational data from the MGC routine, the SIP routine, the SBC routine, the PTT routine (**col 3, lines 15-65, col 4, lines 1-21**), the WAN compression routine (**col 5, lines 44-67, col 7, lines 13-60**), but fails to disclose the H.323 routine and the CALE routine. However, Bondy et al disclosed CALEA feature server (**items 26 of Fig 1**) that stores the program (**routines**) and process CALEA communication functions pertaining to a multimedia client or a subscriber over signaling interfaces (**col 3, lines 55-67, col 4, lines 8-39, Fig 4**). Therefore it would have been obvious for one of ordinary skill in the art at the time the invention was made to include CALEA routines and process CALEA routines as taught by Bondy et al. in the signaling node of Pelaez et al to store a Communication Assistance for Law Enforcement routine (**CALE**) and process the signaling communication with the CALE routine. One is motivated as such in order to use Communication Assistance for Law Enforcement routine (**CALE**) functionality in the signaling node interface to provide configurability of CALE functionality for enhanced security and surveillance capability for communication over packet based and non-packet based networks.

Regarding claims 5-7,12-14, Pelaez et al disclosed the comprehensive signaling node further comprising provisioning and configuration capability to store operational data from the MGC routine, the SIP routine, the SBC routine, the PTT routine (**col 3, lines 15-65**), the WAN compression routine, (**col 4, lines 1-21, col 5, lines 8-17, col 7, lines 13-60**) and with the processing system being further configured to receive a report Command and generate and transmit

a report including operational data specified in the report command and to store a billing system and with the processing system being further configured to perform billing operations for the MGC routine, the SIP routine, the SBC routine, the PTT routine, the WAN compression routine (**col 5, lines 18-43**), but fails to disclose the H.323 routine and the CALE routine. However, Bondy et al disclosed CALEA feature server (**items 26 of Fig 1**) that stores the H.323 routine program and process CALEA communication functions (**routines**) pertaining to a multimedia client or a subscriber over signaling interfaces (**col 3, lines 55-67, col 4, lines 8-39, Fig 4**). Therefore it would have been obvious for one of ordinary skill in the art at the time the invention was made to include CALEA routines and process CALEA routines as taught by Bondy et al. in the signaling node of Pelaez et al to store a Communication Assistance for Law Enforcement routine (**CALE**) and process the signaling communication with the CALE routine. One is motivated as such in order to use Communication Assistance for Law Enforcement routine (**CALE**) functionality in the signaling node interface to provide reporting and billing capability to CALE functionality for enhanced surveillance and billing capability for communication over packet based and non-packet based networks.

Regarding claims 15-16, Pelaez et al disclosed a computer-readable medium having instructions stored thereon for operating a comprehensive signaling node, wherein the instructions, when executed by a processing system, direct the processing system (**IMS 20, Fig 1, col 6, lines 20-30**): to receive a

signaling interface adapted for transmitting and receiving signaling communications (**col 4, lines 6-12**); a storage system (**HSS, item 34 of Fig 1**) configured to store a Media Gateway Controller routine (**MGCF, item 26 of Fig 1**), to store a Session Initiation Protocol routine (**SIP**), to store a H.323 routine (**col 4, lines 65-67**), to store a Session Border Controller (**BGCF, item 28 of Fig 1**) routine, to store Push-to-talk routine (**col 3, lines 15-65**) and to store a Wide Area Network (**wire line network, item 52 of Fig 1, col 4, lines 22-49**) compression routine (**col 5, lines 44-48**) and a processing system (**MRFP/ CSCF/MRFC, items 30/22/32 of Fig 1**) in communication with the signaling interface and the storage system (**col 4, lines 1-21**), with the processing system being configured to receive a signaling communication through the signaling interface, process the signaling communication with the MGC routine if appropriate, process the signaling communication with the SIP routine if appropriate (**col 5, lines 7-17**), process the signaling communication with the PTT routine if appropriate (**col 3, lines 15-65**), process the signaling communication with the SBC routine if appropriate, process the signaling communication with the WAN compression routine if appropriate (**col 5, lines 44-67, col 7, lines 13-60**) and a storage system (**items 22,34,36 of Fig 1**) that stores the instructions, but fails disclose the limitations of performing the configuration operation of the configuration command, wherein the configuration operation enables or disables the one or more specified signaling routines, processing the signaling communication with the H.323 routine if appropriate and



to store a Communication Assistance for Law Enforcement routine (**CALEA**) and process the signaling communication with the CALE routine if appropriate. However, Bondy et al disclosed the limitations of performing the configuration operation of the configuration command, wherein the configuration operation enables or disables (**activation/deactivation of data streams**) the one or more specified signaling routines, processing the signaling communication with the H.323 routine if appropriate and further disclosed CALEA feature server (**items 26 of Fig 1**) that stores the program (routines) and process CALEA communication functions pertaining to a multimedia client or a subscriber over signaling interfaces (**col 3, lines 55-67, col 4, lines 1-67, Fig 4**). Therefore it would have been obvious for one of ordinary skill in the art at the time the invention was made to include CALEA routines and process CALEA routines as taught by Bondy et al. in the signaling node of Pelaez et al to store a Communication Assistance for Law Enforcement routine (**CALE**) and process the signaling communication with the CALE routine if appropriate. One is motivated as such in order to use Communication Assistance for Law Enforcement routine (**CALE**) functionality in the signaling node interface to provide enhanced security and surveillance capability for communication over packet based and non-packet based networks.

Regarding claims 17-18, Pelaez et al disclosed instructions further comprising an operator interface in communication with the processing system, and wherein the processing system is configured to receive the configuration

command (**activation, col 8, lines 14-39**) through the operator interface and with the storage system being further configured to store operational data from the MGC routine, the SIP routine, the SBC routine, the PTT routine (**col 4, lines 1-21, col 3, lines 15-65**), the WAN compression routine (**col 5, lines 44-67, col 7, lines 13-60**), but fails to disclose the H.323 routine and the CALE routine.

However, Bondy et al disclosed CALEA feature server (**items 26 of Fig 1**) that stores the , the H.323 routine and process CALEA communication functions (**routines**) pertaining to a multimedia client or a subscriber over signaling interfaces (**col 3, lines 55-67, col 4, lines 8-39, Fig 4**). Therefore it would have been obvious for one of ordinary skill in the art at the time the invention was made to include CALEA routines and process CALEA routines as taught by Bondy et al. in the signaling node of Pelaez et al to store a Communication Assistance for Law Enforcement routine (**CALE**) and process the signlaing communication with the CALE routine. One is motivated as such in order to use Communication Assistance for Law Enforcement routine (**CALE**) functionality in the signaling node interface to provide configurability of CALE functionality for enhanced security and surveillance capability for communication over packet based and non-packet based networks.

Regarding claims 19-21, Pelaez et al disclosed that instructions further comprising provisioning and configuration capability to store operational data from the MGC routine, the SIP routine, the SBC routine, the PTT routine (**col 3, lines 15-65**), the WAN compression routine, (**col 4, lines 1-21, col 5, lines 8-17,**

**col 7, lines 13-60)** and with the processing system being further configured to receive a report Command and generate and transmit a report including operational data specified in the report command and to store a billing system and with the processing system being further configured to perform billing operations for the MGC routine, the SIP routine, the SBC routine, the PTT routine **(col 3, lines 15-65)**, the WAN compression routine **(col 5, lines 18-43)**, but fails to disclose the H.323 routine and the CALE routine. However, Bondy et al disclosed CALEA feature server **(items 26 of Fig 1)** that stores the H.323 routine and process CALEA communication functions program **(routines)** pertaining to a multimedia client or a subscriber over signaling interfaces **(col 3, lines 55-67, col 4, lines 8-39, Fig 4)**. Therefore it would have been obvious for one of ordinary skill in the art at the time the invention was made to include CALEA routines and process CALEA routines as taught by Bondy et al. in the signaling node of Pelaez et al to store a Communication Assistance for Law Enforcement routine **(CALE)** and process the signaling communication with the CALE routine. One is motivated as such in order to use Communication Assistance for Law Enforcement routine **(CALE)** functionality in the signaling node interface to provide reporting and billing capability to CALE functionality for enhanced surveillance capability for communication over packet based and non-packet based networks.

***Response to Arguments***

5. Applicant's argument, see remarks filed on 03/28/2008 for claims 1-21 have been fully considered but they are not persuasive.

With respect to applicant's argument for claim 8 that Pelaez fails to disclose the limitation of multiple processing routines on a single platform, however the examiner respectfully disagrees and points applicant's to col 3, lines 56-65 where Pelaez disclosed multiple processing of different types of multimedia communications serviced by the communication network in Figs 1 & 2.

With respect to applicant's argument for claim 8 that Pelaez and/or Bondy fails to disclose the limitation of Push-to-Talk routine, an H.323 route or a WAN compression routine, however the examiner respectfully disagrees and points applicant's to Pelaez et al disclosed that the multimedia communication network services PTT (col 3, lines 15-65, Fig 1) and WAN compression (col 7, lines 14-60) and Bondy disclosed the limitation of processing and storing an H.323 routine (col 3, lines 55-67).

With respect to applicant's argument for claim 2 that Pelaez and/or Bondy fails to disclose the limitations of a comprehensive signaling node with a storage system being configured to store an enable/disable system and with a processing system being configured to receive a configuration command, with the configuration command specifying an enable or disable operation for one or more specified signaling routines, however the examiner respectfully disagrees and points applicant's to col 4, lines 29-67 where Blondy et al disclosed a method for activating a specific data stream for the

routines to trigger and therefore disclosed a method for enabling or disabling system for configuring and processing command specifying an enable or disable operation for one or more specified signaling routines.

In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies on "multiple processing of routines on a single platform" are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims.

In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. In this case, both Pelaez and Body disclosed their invention in the related art of storing, monitoring and forwarding a subscriber profile based on the type of call in a multimedia communication network. Further Bondy et al disclosed their invention related to communication network with a collection gateway for providing surveillance services for Communications Assistance for Law Enforcement (CALE) which is in the related art of instant applications. Therefore obviousness can be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art.

***Conclusion***

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

7. Any inquiry concerning this communication or earlier communications should be directed to the attention to Venkatesh Haliyur whose phone number is 571-272-8616. The examiner can normally be reached on Monday-Friday from 9:00AM to 5:00 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edan Orgad can be reached @ (571)-272-7884. Any inquiry of a general

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nature or relating to the status of this application or proceeding should be directed to the group receptionist whose telephone number is (571)-272-2600 or fax to 571-273-8300.

8. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197(toll-free).

/Venkatesh Haliyur/

Examiner, Art Unit 2619

/Edan Orgad/

Supervisory Patent Examiner, Art Unit 2619